

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Charis Jones	Team: Squad #03	CCRB Case #: 201909568	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 10/25/2019 1:04 AM	Location of Incident: 834 Clarkson Avenue	18 Mo. SOL 12/10/2021	Precinct: 67		
Date/Time CV Reported Fri, 10/25/2019 3:35 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 11/04/2019 11:04 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Denis Gamez	07601	949000	067 PCT
2. POM Miguel Vanbrakle	28743	955616	067 PCT
3. POM Delio Fernandez	16156	957578	067 PCT
4. LT Joseph Grimm	00000	946688	067 PCT
5. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Michael Cozier	01144	943112	067 PCT
2. POF Christine Roman	18956	959153	067 PCT
3. POM Brandon Patane	14765	961077	067 PCT
4. POM Ricardo Martinez	19264	950834	067 PCT
5. SGT Alan Chau	01257	940986	067 PCT
6. POM Nicholas Schiraldi	26039	958061	067 PCT
7. POM Nickalai Pillai	03492	949487	067 PCT
8. POM Mdthowhed Talukder	26269	967364	REC TNG
9. POM Matthew Kelly	09342	960754	067 PCT
10. POM Mansoor Ali	14037	960148	067 PCT
11. POM Robert Felts	15294	945712	067 PCT
12. POM Vito Polisenio	18478	951070	067 PCT
13. POM Osayande Grant	05362	966604	067 PCT
14. POM Enoch Choi	06926	958404	067 PCT
15. POM David Yusim	08592	962183	067 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
16. POM Nayef Shahib	15332	961277	067 PCT
17. POM Andrew Weiss	09162	957276	067 PCT
18. SGT Hans Lazo	4297	927067	067 PCT
19. POM Angel Pimentel	26117	934065	067 PCT
20. POF Aleksandra Chorazewicz	1863	954641	067 PCT
21. POF Jacqueline Vista	06394	962155	067 PCT
22. POM Gary Dannunzio	22694	954688	067 PCT
23. POF Diana Carrillo	16586	960330	067 PCT
24. POM John Malone	11542	966186	067 PCT
25. POM Fabian Modesto	08846	950897	067 PCT
26. POM Ronnie Rivera	10655	955385	067 PCT
27. POM Ethan Chan	04717	956512	067 PCT
28. DTS Devin Baker	1595	952439	067 PCT
29. POF Elvia Romerojimenos	00000	967673	REC TNG

Officer(s)	Allegation	Investigator Recommendation
A . POM Denis Gamez	Off. Language: Police Officer Denis Gamez made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)	
B . POM Denis Gamez	Discourtesy: Police Officer Denis Gamez spoke discourteously to § 87(2)(b)	
C . LT Joseph Grimm	Discourtesy: Lieutenant Joseph Grimm spoke discourteously to Individuals.	
D . LT Joseph Grimm	Abuse: Lieutenant Joseph Grimm threatened Individuals with the use of force.	
E . POM Miguel Vanbrakle	Force: Police Officer Miguel Vanbrakle used pepper spray against § 87(2)(b)	
F . POM Miguel Vanbrakle	Force: Police Officer Miguel Vanbrakle used physical force against § 87(2)(b)	
G . POM Delio Fernandez	Force: Police Officer Delio Fernandez used physical force against § 87(2)(b)	
H . Officers	Force: Officers used physical force against § 87(2)(b)	
I . POM Denis Gamez	Force: Police Officer Denis Gamez used a taser against § 87(2)(b)	

## Case Summary

On October 25, 2019, Sergeant Michael Cozier (assigned to the 67<sup>th</sup> Precinct) called IAB and filed this complaint on behalf of § 87(2)(b) and § 87(2)(b) generating original log § 87(2)(b). The CCRB received the log on November 4, 2020.

On October 25, 2020, at approximately 1:04 a.m., Sergeant Michael Cozier, Police Officer Denis Gamez, Police Officer Delio Fernandez, Police Officer Miguel Vanbrakle, and Lieutenant Joseph Grimm, all of the 67<sup>th</sup> Precinct, responded to an unlicensed bottle club operating out of 834 Clarkson Avenue in Brooklyn.

Regarding § 87(2)(b) PO Gamez said, “Grab that bitch. Yo, grab that bitch. You want me to grab this bitch?” and “She fucking hit Vanbrakle” (**Allegation A: Offensive Language,** § 87(2)(g) **(Allegation B: Discourtesy,** § 87(2)(g)

Lt. Grimm pointed his taser at unidentified individuals and said, “I will fucking tase you” (**Allegation C: Abuse of Authority,** § 87(2)(g) **(Allegation D: Discourtesy,** § 87(2)(g) PO Vanbrakle pepper sprayed § 87(2)(b) and took him to the ground (**Allegation E: Force,** § 87(2)(g) **(Allegation F: Force,** § 87(2)(g)

PO Fernandez allegedly pushed § 87(2)(b) out of the location and took him to the ground (**Allegation G: Force,** § 87(2)(g) Simultaneously, officers took § 87(2)(b) to the ground and allegedly punched and kicked him (**Allegation H: Force,** § 87(2)(g) While on the ground PO Gamez tased § 87(2)(b) (**Allegation I: Force,** § 87(2)(g)

§ 87(2)(b) was arrested for resisting arrest, Obstructing Governmental Association (OGA), and disorderly conduct (two counts) (Board Review 01). § 87(2)(b) was arrested for OGA (Board Review 02). § 87(2)(b) was arrested for resisting arrest, OGA, disorderly conduct and refusing to disperse (Board Review 03).

The officers that responded to the location recorded portions of this incident on their body-worn cameras. Lt. Grimm, PO Vanbrakle, PO Gamez, and Sgt. Lazo’s body-worn-cameras captured most clearly the allegations described above (Board Review 04, 05, 06, 07).

## Findings and Recommendations

**Allegation (A) Offensive Language: Police Officer Denis Gamez made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)**

**Allegation (B) Discourtesy: Police Officer Denis Gamez spoke discourteously to § 87(2)(b)**

The above allegations were captured in the BWC recordings and were not alleged by the complainant or victims.

The investigation was unable to reach § 87(2)(b) for a statement despite numerous contact attempts (Board Review 29).

PO Gamez’s BWC captured this portion of the incident in its entirety (Board Review 06). From 03:17 to 03:36, PO Gamez follows § 87(2)(b) out of the venue while saying, “Grab that bitch. Yo, grab that bitch. You want me to grab this bitch?” After he grabs hold of § 87(2)(b) another officer

comes over and asks what § 87(2)(b) had done. PO Gamez replied, “She fucking hit Vanbrakle in the chest.”

PO Gamez (Board Review 30, 31) testified he observed § 87(2)(b) throw a closed fist punch at PO Vanbrakle’s chest and then exit the venue. PO Gamez was in shock that § 87(2)(b) hit PO Vanbrakle so he followed her outside and made those statements. PO Gamez stated that he did not make those statements to disrespect § 87(2)(b) but he was trying to get her attention so that he could place her under arrest. PO Gamez emphasized that § 87(2)(b) had exhibited violent behavior by hitting PO Vanbrakle and that he feared for his safety. PO Gamez did not mean to refer to § 87(2)(b) as a “bitch” in a personal way; he was nervous, concerned for his safety, and the circumstances were chaotic. PO Gamez stated that he said, “She fucking hit Vanbrakle” because he was surprised that she hit an officer in the chest.

Patrol Guide Procedure 203-10 prohibits officers from using discourteous or disrespectful remarks regarding a person’s gender and gender identity/expression (Board Review 33).

While officers are permitted to use profanity during stressful street encounters, they are not permitted to use profanity in situations in which the profanity serves “no legitimate purpose but to belittle” the civilian. (PD v. Pichardo, DAO DCT Case Number 2015-15012) (Board Review 32).

It is undisputed that PO Gamez used disrespectful remarks regarding § 87(2)(b) gender, § 87(2)(g) [REDACTED]  
[REDACTED]  
[REDACTED]

At the time PO Gamez made the discourteous statement, § 87(2)(b) was in custody and their stressful encounter had concluded. § 87(2)(g) [REDACTED]  
[REDACTED]  
[REDACTED]

**Allegation (C) Discourtesy: Lieutenant Joseph Grimm spoke discourteously to individuals.**  
**Allegation (D) Abuse of Authority: Lieutenant Joseph Grimm threatened individuals with the use of force.**

The above allegations were captured in the BWC recordings and were not alleged by the complainant or victims.

Lt. Grimm’s BWC clearly captures the above allegations (Board Review 04). From 03:55 to 04:03, multiple people approach Lt. Grimm and ask why § 87(2)(b) was being handcuffed. No officers are captured in Lt. Grimm’s BWC. The music is loud and people are yelling. Lt. Grimm points his taser at the individuals and says, “I will fucking tase you.” Lt. Grimm says “back up” upwards of five times to the people in front of him.

Lt. Grimm (Board Review 08) testified that when he entered the location, he heard an officer say, “Put your hands behind your back,” and observed an officer effecting an arrest in the corner of the venue. Simultaneously, the crowd’s attention shifted towards the arrest and they surrounded the officer. Lt. Grimm and other officers stood between the crowd of several hundreds and the officer who was effecting the arrest. Lt. Grimm ordered the civilians to “step back” but they refused and got within an arm’s length of him. The civilians attempted to get to § 87(2)(b) who was being arrested behind Lt. Grimm. Lt. Grimm was concerned because himself and the other officers (approximately 5-10) were in the corner and not near an exit in case they needed to leave if

necessary. Lt. Grimm attempted to extend his hands to push the crowd back because some of the individuals were getting closer. The more Lt. Grimm and the officers ordered the civilians to get back, the closer they got to them. Lt. Grimm eventually unholstered his taser, turned it on, and pointed it in the direction of the crowd and said, "Get back or you're going to get tased." Lt. Grimm's statement was directed to the crowd and not at anyone specifically. Lt. Grimm did not recall saying, "I will fucking tase you" nor did he recall hearing any other officer make that statement. Lt. Grimm was concerned for his safety and the safety of the officer attempting to effect the arrest. Lt. Grimm said, "get back or you're going to be tased" because he was trying to distance people in order to create a "zone of safety" and the crowd was not responding to the verbal commands. Lt. Grimm stated that the taser is not used for crowd control, however, he could have tased whomever attempted to interfere with the arrest at that time. Lt. Grimm could not have tased someone for simply being in a crowd. The crowd appeared unphased by Lt. Grimm's display of his taser. They continued to encroach on Lt. Grimm's space. Soon after Lt. Grimm unholstered his taser, a separate fight broke out inside of the venue, away from where he stood. Lt. Grimm holstered his taser because he no longer needed it and remained with the officer who had effected the arrest.

DAO-DCT Case Command:550/Case Number: 2013-10143 states that while officers are held to a high standard of conduct, traditional rules of etiquette cannot be applied to stressful law enforcement situations (Board Review 09).

NYPD Patrol Guide Procedure 221-08 states that CEW should only be used against persons who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other person(s) present. A laser warning is defined as pointing and place the laser dot of an activated CEW on a subject in order to attempt to achieve voluntary compliance. When feasible, issue a verbal warning, consistent with personal safety, to the intended subject in conjunction with a laser warning (Board Review 10).

§ 87(2)(g) Lt. Grimm instructed the crowd various times to back up and was actively trying to safeguard the officer and § 87(2)(b) behind him at the time he made the statement, § 87(2)(g)

It is undisputed that Lt. Grimm pointed his taser at the individuals. Given the chaotic nature of the scene, that the civilians attempted to encroach on the arrest of § 87(2)(b) and were not responding to verbal commands, § 87(2)(g)

**Allegation (E) Force: Police Officer Miguel Vanbrakle used pepper spray against § 87(2)(b)**

**Allegation (F) Force: Police Officer Miguel Vanbrakle used physical force against § 87(2)(b)**

§ 87(2)(b) provided a phone statement (Board Review 11) and stated that the officers entered the location and arrested his friend, § 87(2)(b) asked the officers why § 87(2)(b) was being arrested. An officer told him that he could stand next to § 87(2)(b) until he was given more information. Another officer approached § 87(2)(b) and ordered him to leave. § 87(2)(b) then heard an officer say, "Put him under." Simultaneously, § 87(2)(b) felt his eyes burning and knew he had just been pepper sprayed. § 87(2)(b) was taken to the ground and punched in the head approximately 10 times. Officers handcuffed § 87(2)(b) and sat him

down on a bench inside of the location. § 87(2)(b) was eventually taken to the hospital where he received medical attention for the pepper spray.

PO Vanbrakle's BWC most clearly captures this portion of the incident (Board Review 05). From 04:48 to 05:41, § 87(2)(b) faces PO Vanbrakle with both of his hands open and in front of him. § 87(2)(b) does not appear to have his hands clenched at his side. An officer says to § 87(2)(b) "This is the fourth time I am telling you..." An unidentified individual stands in front of PO Vanbrakle's camera, blocking § 87(2)(b). PO Vanbrakle then pepper sprays § 87(2)(b). PO Vanbrakle and other officers take § 87(2)(b) to the ground and struggle to put him into handcuffs. § 87(2)(b) can be heard complaining about his eyes. At 07:33, PO Vanbrakle wipes § 87(2)(b)'s eyes with a napkin. No additional BWC footage captured this portion of the incident.

PO Vanbrakle (Board Review 12) testified that an unidentified Sergeant ordered for § 87(2)(b) to be arrested. PO Vanbrakle turned and faced § 87(2)(b) who simultaneously pulled away from the Sergeant. § 87(2)(b) displayed an aggressive stance by holding his fists balled by his waist area. PO Vanbrakle stated that based on his experience, § 87(2)(b)'s actions were consistent with "armoring," which is when a subject puffs their body up to appear larger and more aggressive. PO Vanbrakle walked to § 87(2)(b) who was facing him, and pepper sprayed him from approximately six feet away. PO Vanbrakle did not issue § 87(2)(b) any warning prior to deploying his pepper spray because the volume of noise inside the venue would have made it inaudible. PO Vanbrakle chose to use his pepper spray because he felt it was the most effective way of dealing with that situation at that time. There were also multiple officers engaged in physical confrontations with multiple individuals throughout the location. § 87(2)(b) immediately brought his hands to his eyes as he and other officers, whom PO Vanbrakle could not identify, brought him to the ground. PO Vanbrakle assisted the officers in handcuffing § 87(2)(b). During the interview, PO Vanbrakle was shown his BWC footage. § 87(2)(b) does not appear to have his hands clenched at his side as PO Vanbrakle had stated prior. PO Vanbrakle stated that when he initially activated his camera, an individual blocked the view of § 87(2)(b) pulling away from the Sergeant. PO Vanbrakle also stated that because he is 6'3" tall and since the camera was at his chest level and was blocked by an individual, the footage did not capture what he observed of § 87(2)(b) at that time. PO Vanbrakle reiterated that § 87(2)(b) pulled away from the sergeant, took an aggressive stance, and began to walk away before PO Vanbrakle deployed his pepper spray.

NYPD Patrol Guide Procedure 221-07 states that O.C. pepper spray may be used to gain or maintain control of persons who are actively resisting arrest or lawful custody or exhibiting active aggression, or to prevent individuals from physically injuring themselves, members of the service or other persons (Board Review 13).

It is undisputed that PO Vanbrakle pepper sprayed § 87(2)(b) and took him to the ground. § 87(2)(g)

**Allegation (G) Force: Police Officer Delio Fernandez used physical force against § 87(2)(b)**

There is no BWC footage of this portion of the incident.



§ 87(2)(b) (Board Review 14) testified that after the officers entered, the venue became chaotic as people attempted to leave in a hurry. § 87(2)(b) walked in front of § 87(2)(b) down a narrow hallway that connected to the right-side exit. As they reached the door frame, § 87(2)(b) turned his head back towards the party to look for his friend. As § 87(2)(b) looked back, § 87(2)(b) who had stepped outside, pulled § 87(2)(b) arm towards the exit. Simultaneously, officers inside the venue pulled § 87(2)(b) other arm towards them. As the officers pulled § 87(2)(b) inside the location, he observed officers outside grab § 87(2)(b) and pull him to the ground. Officers then pulled § 87(2)(b) completely inside and pushed him against the left wall of the hallway. § 87(2)(b) attempted to pull his hands away from them but was unsuccessful. The officers then ushered § 87(2)(b) outside and took him to the ground. While on the ground, § 87(2)(b) felt force to the back of his neck and head. He believed it was either a foot, elbow, or hand. § 87(2)(b) believed there were approximately six officers on top of him. § 87(2)(b) may have been knocked unconscious at that time because the next thing he remembered was being stood up with handcuffs on.

PO Fernandez (Board Review 15) testified that he and Sgt. Cozier ordered § 87(2)(b) to leave the location multiple times before he complied. As Sgt. Cozier went to close the door behind § 87(2)(b) held the door open, preventing Sgt. Cozier from being able to close the door fully. Sgt. Cozier then ordered PO Fernandez to arrest § 87(2)(b) for Obstruction of Government Administration (OGA). PO Fernandez grabbed § 87(2)(b) upper arms/shoulder areas and ordered him to put his hands behind his back. § 87(2)(b) pulled his arm away from PO Fernandez and stepped out of the venue. PO Fernandez grabbed § 87(2)(b) again and they fell to the ground. § 87(2)(b) landed on his back and PO Fernandez fell on top of him. § 87(2)(b) was compliant as soon as he was on the ground. While on the ground, PO Fernandez and § 87(2)(b) were kicked by unidentified individuals, which made it difficult for PO Fernandez to secure § 87(2)(b). PO Fernandez told § 87(2)(b) to relax and put both of his arms on the ground. § 87(2)(b) complied and PO Fernandez remained on top of him. PO Fernandez kept his head down, eventually grabbed both of § 87(2)(b) shoulders, turned him over so that he faced the ground, and put him into handcuffs. PO Fernandez escorted § 87(2)(b) back inside the venue where he waited until being transported back to the 67<sup>th</sup> Precinct stationhouse.

Sgt. Cozier's (Board Review 16) testimony was generally consistent with PO Fernandez's. Sgt. Cozier decided that § 87(2)(b) was going to be arrested for Obstructing Governmental Administration (OGA) because he had asked him to leave multiple times and he continued to come back inside. § 87(2)(b) was taken to the ground and handcuffed by PO Fernandez.

In his TRI § 87(2)(b) PO Fernandez noted forcibly taking § 87(2)(b) down and handcuffing him, which is consistent with his testimony (Board Review 17).

NYPD Patrol Guide Procedure 221-01 states that officers may use force when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or to prevent escape from custody (Board Review 18).

Civilian and officer testimonies remain in conflict over whether § 87(2)(b) actions rose to OGA. Furthermore, there is no video evidence to confirm § 87(2)(b) actions. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

**Allegation (H) Force: Officers used physical force against § 87(2)(b)**

**Allegation (I) Force: Police Officer Denis Gamez used a taser against § 87(2)(b)**

§ 87(2)(b) provided a notarized statement regarding the incident on October 25, 2019 was uncooperative for subsequent follow up questions (Board Review 19). § 87(2)(b) testimony is generally consistent with § 87(2)(b) with the exception of his interaction with the officers outside of the location. As soon as § 87(2)(b) realized the officers were pulling § 87(2)(b) from inside the location, § 87(2)(b) let go of § 87(2)(b) and attempted to walk away. As § 87(2)(b) attempted to leave, officers threw § 87(2)(b) to the ground. While on the ground, § 87(2)(b) felt several punches to his body and kicks to his head. § 87(2)(b) repeated, "There is 10 of you guys and just one of me, what are y'all doing" numerous times. The officers told § 87(2)(b) to "Stop resisting." PO Gamez then tased § 87(2)(b) on the left side of his torso and § 87(2)(b) was put into handcuffs. The officers picked § 87(2)(b) up, brought him back inside the location and threw him to the ground. § 87(2)(b) was eventually transported to § 87(2)(b) Hospital by EMS and the prongs were removed.

PO Gamez and Sgt. Lazo's BWCs most clearly captured PO Gamez's interaction with § 87(2)(b). In PO Gamez's BWC (Board Review 06), from 07:31 to 08:00, PO Gamez runs out of the location. Officers can be heard saying, "Get back, Get back." PO Gamez's BWC is blurry and it appears as though there is a struggle. At 08:00, PO Gamez's taser is visible. At 08:07, Officers are hovering over § 87(2)(b) and telling him not to move. An officer says, "Put your arms behind your fucking back." At 08:17, PO Gamez says, "You want me to tase him?" An officer can be heard saying, "No, no, no." From 08:20 to 08:23, PO Gamez deploys his taser 1-2 times against § 87(2)(b). In Sgt. Lazo's BWC (Board Review 07), from 01:00 to 02:10, Sgt. Lazo assists other officers in taking § 87(2)(b) to the ground. Although it is dark, it appears that approximately five officers are either physically involved in restraining § 87(2)(b) or standing over him. Officers can be heard saying "Give me a hand" and "stop resisting." At 02:12, PO Gamez can be seen standing over § 87(2)(b). At 02:15, PO Gamez tases § 87(2)(b) on his back in drive stun mode. Officers continue to order § 87(2)(b) to put his hands behind his back. At 02:38, an officer says, "Okay, bring him inside."

PO Gamez (Board Review 20) testified that approximately five officers grabbed § 87(2)(b) and took him to the ground. § 87(2)(b) flailed his arms and refused to give them to the officers. PO Gamez approached the officers and said, "Guys, you want me to tase him?" PO Gamez could not recall if the officers responded. PO Gamez tased § 87(2)(b) to gain voluntary compliance after watching the other officers struggle with him. PO Gamez used the dry stun mode to avoid hurting other officers. PO Gamez stated that it should not take five officers to issue an arrest. PO Gamez emphasized that § 87(2)(b) and § 87(2)(b) made it difficult to do their job that night and that if they had just left the location it would not have gotten to this point. PO Gamez did not issue § 87(2)(b) a warning before deploying his taser. At that time, officers were already ordering § 87(2)(b) to stop resisting. The officers managed to handcuff § 87(2)(b) after PO Gamez tased him.

Sgt. Cozier (Board Review 15) testified that § 87(2)(b) pulled § 87(2)(b) from outside. Officers exited the venue to apprehend § 87(2)(b) outside because he was going to be arrested for OGA. Officers "piled" on top of § 87(2)(b). Sgt. Cozier stood in the entrance of the location for the duration of this portion of the incident and did not participate in the apprehension of § 87(2)(b).



The Taser X-26 data sheet for PO Gamez's Taser shows that his Taser was triggered once during this encounter for a five second duration (Board Review 21).

In his TRI Report (§ 87(2)(b)) PO Gamez noted his use of his taser in drive stun mode, which is consistent with his testimony (Board Review 22).

NYPD Patrol Guide Procedure 221-08 states that CEW should only be used against persons who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other person(s) actually present. The Drive stun mode may be used to supplement the effectiveness of a close probe spread (Three Point Contact), or to complete the circuit in the event of a single probe contact, or as a countermeasure to gain separation between officers and the subject so that officers can consider another force option. Drive stun mode should not be the primary method of use unless exceptional circumstances exist (Board Review 10).

It is undisputed that officers took § 87(2)(b) to the ground § 87(2)(g)

It is undisputed that PO Gamez tased § 87(2)(b). On his own account, PO Gamez observed at least five officers physically engaged with § 87(2)(b) for a short amount of time and did not himself participate in restraining him. PO Gamez did not speak to any perceived threat posed by § 87(2)(b) or other individuals present. § 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 35).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 23).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 24).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 25).
- Lt. Grimm has been a member-of-service for 12 years and has been named a subject in 11 CCRB complaints and 23 allegations, none of which were substantiated.
- PO Vanbrakle has been a member-of-service for seven years and has been named a subject in 13 CCRB complaints and 32 allegations, none of which were substantiated.
- PO Fernandez has been a member-of-service for six years and has been named a subject in two CCRB complaints and two allegations, none of which were substantiated.
- PO Gamez has been a member-of-service for 10 years and has been named a subject in one CCRB complaint and one allegation, which was not substantiated.

**Mediation, Civil and Criminal Histories**

- This complaint was not suitable for mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- On February 3, 2021, a Notice of Claim Inquiry was sent to the New York City Office of the Comptroller. This will be added to the case file upon receipt.

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Squad No.:      4

Investigator:    Charis Jones                      Inv. Charis Jones                      04/05/2021  
   Signature                      Print Title & Name                      Date

Squad Leader: Raquel Velasquez                      IM Raquel Velasquez                      4/21/2021  
   Signature                      Print Title & Name                      Date

Reviewer:                      \_\_\_\_\_                      \_\_\_\_\_                      \_\_\_\_\_  
   Signature                      Print Title & Name                      Date